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**GVNW**

November 22, 1999

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
Portals II, 445 12St. SW, Suite TW-A325  
Washington, DC 20554

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RE: CC Docket No. 98-170, Petition for Waiver of November 12, 1999 Truth-In-Billing Date

Enclosed is the petition of Granby Telephone Company (hereafter the Company) hereby requesting a temporary waiver until April 1, 2000 of the November 12, 1999 requirement to comply with the Truth-In-Billing rules. This filings wasmade on November 12, 1999 electronically. However, a signed copy of the petition is now being filed.

An original and four copies are being filed or each petition. Please return the stamped copy in the SASE.

Respectfully submitted,

  
Trey Judy  
GVNW Consulting, Inc.

Attachments

No. of Copies rec'd 043  
List ABCDE

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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In the Matter of the Petition of )  
Granby Telephone Company )  
Request for Waiver of Truth-In-Billing )  
And Billing Format Implementation )  
Deadline )

CC Docket No. 98-170

PETITION OF GRANBY TELEPHONE COMPANY  
FOR LIMITED WAIVER OF THE TRUTH-IN-BILLING  
IMPLEMENTATION DATE

Date Submitted: November 12, 1999

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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In the Matter of the Petition of )  
Granby Telephone Company )  
Request for Waiver of Truth-In-Billing )  
And Billing Format Implementation )  
Deadline )

CC Docket No. 98-170

PETITION OF GRANBY TELEPHONE COMPANY  
FOR LIMITED WAIVER OF THE TRUTH-IN-BILLING AND BILLING FORMAT  
IMPLEMENTATION DATE

Granby Telephone Company, (hereinafter "The Company"), by their consultant, hereby requests a temporary waiver (until April 1, 2000) of certain portions of section 64.2401 of the Commission's "truth-in-billing" rules, which are scheduled to take effect on November 12, 1999.<sup>1</sup> A waiver is needed because: 1) the Companies indicate that the additional programming changes needed to comply fully with the rules may well jeopardize their year 2000 (Y2K) remediation efforts, and 2) the Commission has yet to decide on the status of several pending industry requests for modification.

**Background**

In April 1999, the Commission adopted particular truth-in-billing rules that require telecommunications carriers to provide certain basic information to consumers. The new rules specify that bills must be clearly organized, including both the name of the service provider associated with each charge, and a description of billed charges. When charges for two or more

service providers appear on a bill, the billing entity must separate the charges by service provider. In the event there is a change in a service provider, a clear and conspicuous notification of such change must appear on the bill. In cases when a bill includes charges for both basic local service and other charges, carriers must clearly indicate when non-payment of certain charges will result in disconnection of basic local service. Finally, telephone bills must clearly and conspicuously display any information a customer may need to contest charges, or inquire about a bill.<sup>2</sup>

After reviewing the new rules, the Federal Office of Management and Budget (OMB) expressed its concern that some of the requirements "could impair the efforts of some telecommunications carriers and providers, particularly small and medium-sized carriers, to ensure that their systems are Y2K compliant". Consequently, the Commission deferred the effective date for compliance with rule 64.2401(a)(1)'s requirement that carriers highlight new service providers, and rule 64.2401(c), which requires that carriers identify deniable and non-deniable charges, until April 1, 2000.<sup>3</sup>

### **Waiver Request**

The Company respectfully requests an additional waiver until April 1, 2000, of the requirement that carriers separate charges on bills by service provider as mandated by sections

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<sup>1</sup> See In the Matter of Truth-In-Billing and Billing Format, CC Docket 98-170, First Report and Order and Further Notice of Proposed Rulemaking; FCC 99-72, rel. May 11, 1999, 64 Fed. Reg. 34488 (1999); Errata, CC Docket 98-170, DA 99-2092, (rel. Oct. 6, 1999), 64 Fed. Reg. 56177 (1999).

<sup>2</sup> 47 C.F.R. § 64.2401 (a) through (d).

<sup>3</sup> See Enforcement Division of the Common Carrier Bureau Announces Effective Date of Truth-In-Billing Requirements in CC Docket 98-170, *Public Notice*, DA 99-2030 (rel. Sept. 30, 1999) (Public Notice). These rules are also in part the subject of a Petition for Reconsideration filed recently by United States Telecom Association (USTA). See In the Matter of Truth-In-Matter and Billing Format, CC Docket 98-170, The United States Telephone Association's Petition for Reconsideration, filed July 26, 1999.

64.2401(a)(1) and (2), and section 64.2401(d). In order to identify individual service providers and ensure that the appropriate toll free number is listed on the bill, the Companies will need to have their billing vendors reprogram their billing system(s) to read "sub-CIC" information that identifies individual service providers.<sup>4</sup> The Company also requests an additional waiver until April 1, 2000, of the requirement that carriers a complete description of billed charges provider as mandated by section 64.2401(b). The Company currently is transitioning all of it's billing functions to a third party vendor, but currently prints and mails the end user bills in house. The in house process combines local service and vertical services like call waiting into a single line item labeled local services. This deficiency can not be remedied until the Company's billing vendor assumes this responsibility after January 1, 2000. The transition is scheduled for January and the company will make all efforts to complete the transition in a timely fashion, however it is unlikely that the database will be 100% in order for the first month's billing. The Company's billing vendor is in the process of programming billing systems to assure compliance with Y2K standards. If the Commission insists on full compliance with the truth-in-billing rules by November 12th, the Company's billing vendor will be reprogramming the same software. This would be an infeasible task for the billing vendors and would threaten Y2K preparedness. The Companies submit that the public's interest is best served by not compromising Y2K efforts.

### **Conclusion**

Accordingly, the Company respectfully requests the Commission to waive the separate service provider identification requirement, complete description of billed charges, and

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<sup>4</sup> Sub-CICs are secondary carriers sharing Carrier Identification Codes (CICs) with other carriers, and whose identities are passed from the clearinghouse to the billing carrier.

disclosure of billing inquiry information requirements, of section 64.2401 of the Commission's rules until April 1, 2000. The Company is working diligently in responding to their Y2K compliance tasks and recognizes the importance of implementing the new truth-in-billing rules. The requested waiver will allow limited additional time for the Company's billing vendor to meet the requirements. Customers will not be harmed by grant of this waiver. The Company will continue to provide the appropriate information necessary to address customers' billing inquiries and will work aggressively towards full implementation of section 64.2401 by April 1, 2000.

Grant of this waiver will allow the Company's billing vendor to continue to devote the needed resources to Y2K efforts, thus eliminating the risk of non-Y2K programming changes for a reasonable period of time. The Companies' billing vendors will then be able to direct more fully their efforts to comply with the requirements of section 64.2401 of the Commission's rules. Accordingly, the Companies believe these circumstances fulfill the requirements of Section 1.3<sup>5</sup> of the Commission's rules for granting of waivers.

By   
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<sup>5</sup> "The Commission may exercise its discretion to waive a rule where particular facts would make strict compliance inconsistent with the public interest." *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969). Waiver of a Commission rule is appropriate where: (1) the underlying purpose of the rule will not be served, or would be frustrated, by its application in a particular case, and grant of the waiver is otherwise in the public interest, or (2) unique facts or circumstances render application of the rule inequitable, unduly burdensome or otherwise contrary to the public interest, and there is no reasonable alternative. *Northeast Cellular Telephone Co., v. FCC*, 897 F. 2d 1164, 1166 (D.C. Cir. 1990).



# Federal Communications Commission

**The FCC Acknowledges Receipt of Comments From ...  
GVNW Consulting, Inc.  
...and Thank You for Your Comments**

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Date Received: Nov 12 1999

Docket: 98-170

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